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Attorneys for Defendant
NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

CLASS ACTION

**DECLARATION OF RAKESH N. KILARU
IN SUPPORT OF STIPULATION FOR
ORDER EXTENDING DEADLINE TO
ANSWER**

Hon. Claudia Wilken

1 I, Rakesh N. Kilaru, declare as follows:

- 2 1. I submit this declaration in support of the parties' Stipulation for Order Extending
3 Deadline to Answer.
- 4 2. I am an attorney at Wilkinson Stekloff LLP and am licensed to practice law in the Dis-
5 trict of Columbia. I represent the National Collegiate Athletic Association in this litiga-
6 tion. The facts set forth herein are of my own personal knowledge and, if called to tes-
7 tify under oath, I could and would testify competently thereto.
- 8 3. Under the Court's Order Granting Stipulation for Order Extending Case Deadlines,
9 ECF No. 151, Plaintiffs' Consolidated Amended Complaint was due 30 days after a de-
10 cision on Defendants' Motion to Dismiss, and Defendants' Answer is due 60 days after
11 that decision. The Court granted in part and denied in part Defendants' Motion to Dis-
12 miss on June 24, 2021. *See* ECF No. 152. Plaintiffs filed a Consolidated Amended
13 Complaint on July 26, 2021. *See* ECF No. 164. Defendants' Answer currently is due
14 on August 23, 2021. An extension of that deadline by 30 days, to September 22, 2021,
15 is justified given the length of Plaintiffs' Consolidated Amended Complaint and the up-
16 coming August 31, 2021 deadline for substantial completion of document production,
17 *see* ECF No. 151 at 1. The Consolidated Amended Complaint is 112 pages and in-
18 cludes new allegations not encompassed in the original pleadings. In addition, Defend-
19 ants are in the process of making rolling productions of documents to Plaintiffs in ad-
20 vance of the August 31, 2021 deadline for substantial completion of document produc-
21 tion. Because deferring the deadline for the Answer will not affect any other deadline
22 in this case, Defendants submit (and Plaintiffs do not object) an extension is appropri-
23 ate.
- 24 4. The original deadline for Defendants to answer Plaintiffs' Consolidated Amended
25 Complaint was February 8, 2021, which was 60 days after the anticipated deadline for a
26 ruling on Defendants' Motion to Dismiss. *See* ECF No. 127 at 1 & n.1. Subse-
27 quently, in connection with the extension of other case deadlines, Defendants' deadline
28 to answer Plaintiffs' Consolidated Amended Complaint was modified to "60 days after

1 decision on pending motion to dismiss.” ECF No. 151 at 1. Defendants’ deadline to
2 answer otherwise has not been modified. Other prior time modifications in this case
3 include: (a) a stipulation extending the deadline for Defendants to serve and file their
4 answers or initial responsive pleadings, ECF No. 51; (b) an order extending the re-
5 sponse and reply deadlines for Defendants’ motion to dismiss, ECF No. 100; (c) a stip-
6 ulation extending the deadline to serve Rule 26 initial disclosures, ECF No. 114; (d) an
7 order extending the deadline to file a proposed protective order, ECF No. 133; (e) an
8 order extending the deadline to file a supplemental proposed protective order, ECF No.
9 144; and (f) an order extending the deadlines for substantial completion of document
10 production and all subsequent case deadlines, ECF No. 151.

11 5. The requested time modification would have no effect on any other case deadlines.

12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct to the best of my knowledge and belief.

14 Executed this 10th day of August, 2021 at Washington, District of Columbia.

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16 /s/ Rakesh N. Kilaru

17 Rakesh N. Kilaru
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